

U.S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

MAR 1 1969

TELETYPE

Mr. Tolson _____
Mr. DeLoach _____
Mr. Mohr _____
Mr. Bishop _____
Mr. Casper _____
Mr. Callahan _____
Mr. Conrad _____
Mr. Felt _____
Mr. Gale _____
Mr. Rosen _____
Mr. Sullivan _____
Mr. Tavel _____
Mr. Trotter _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

FBI WASH DC

1239

1239 PM URGENT JME 3-1-69

TO: DIRECTOR (62-109060) AND DALLAS (39-43)
FROM: NEW ORLEANS (89-69)

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS, NOVEMBER TWENTYTWO, NINETEEN SIXTYTHREE.
MISC. - INFO CONCERNING. OO: DALLAS.

RE NEW ORLEANS TELETYPES FEBRUARY TWENTYEIGHT LAST.

ACCORDING TO AN ARTICLE APPEARING IN THE MARCH ONE INSTANT
ISSUE OF THE NEW ORLEANS TIMES-PICAYUNE NEWSPAPER, AN ALL MALE
JURY TOOK LESS THAN ONE HOUR TO FIND CLAY L. SHAW NOT GUILTY
OF CONSPIRING TO MURDER PRESIDENT JOHN F. KENNEDY. THE JURY
RETURNED THEIR VERDICT AT ONE ZERO FOUR AM ON MARCH ONE INSTANT
AFTER BEGINNING THEIR DELIBERATION AT TWELVE ZERO SIX AM. THIS
ARTICLE NOTED THAT IT WAS TWO YEARS TO THE DAY SINCE SHAW'S
ARREST.

ACCORDING TO THIS ARTICLE, THE PROSECUTION'S LAST REBUTTAL
WITNESS, PRIOR TO THE SUMMATIONS OF THE PROSECUTION AND DEFENSE,
WAS MRS. ELIZABETH MC CARTHY OF BOSTON, MASS.. SHE TESTIFIED
THAT SHE HAD BEEN A HANDWRITING EXPERT FOR THIRTYTWO YEARS AND
END PAGE ONE

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MR. DELCACH FOR THE DIRECTOR

NO 89-69-4399

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UPON QUESTIONING BY DA GARRISON, TESTIFIED THAT SHE HAD EXAMINED THE SIGNATURE OF CLAY BERTRAND APPEARING ON THE GUEST REGISTER AT THE VIP ROOM FOR EASTERN AIRLINES WITH THE KNOWN HANDWRITING OF SHAW. SHE TESTIFIED THAT AS A RESULT SHE HAD CONCLUDED THAT IT WAS HER OPINION THAT IT WAS HIGHLY PROBABLE THAT SHAW SIGNED THE REGISTER.

UPON CROSS EXAMINATION BY THE DEFENSE, SHE TESTIFIED SHE LEARNED SHE WOULD BE A WITNESS ON FEBRUARY TWENTYSEVEN LAST. UPON QUESTIONING BY THE DEFENSE SHE TESTIFIED THAT SHE EXPECTED TO BE PAID AS THIS WAS HER BUSINESS.

ACCORDING TO HIS ARTICLE, DURING THE LATE AFTERNOON OF FEBRUARY TWENTYEIGHT LAST THE PROSECUTION THEN BEGAN ITS SUMMATION. THIS SUMMATION WAS HANDLED BY ASSISTANT DA JAMES ALCOCK AND ALVIN OSER, JR.. BOTH OF THEM PRESENTED MUCH OF THE PROSECUTION'S CASE AND TESTIMONY OF PROSECUTION WITNESSES IN THE PRESENTATION OF THEIR SUMMATION. MUCH OF THEIR FINAL SUMMATION WAS AN ATTACK ON THE WARREN COMMISSION REPORT AND

NO 32-50

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THAT PROSECUTION WITNESSES HAVE DEFINITELY ESTABLISHED THAT THERE WERE THREE GUNMEN IN DEALEY PLAZA, DALLAS, TEXAS, WHO HAD FIRED ON THE PRESIDENTIAL MOTORCADE ON NOVEMBER TWENTYTWO, NINETEEN SIXTYTHREE. THE PROSECUTION THEN ATTEMPTED TO DISCREDIT DEFENSE WITNESSES AND THEIR TESTIMONY, INCLUDING THE TESTIMONY OF ARMY PATHOLOGIST COLONEL PIERRE FINCK. THE PROSECUTION ALSO ATTACKED AND CRITICIZED THE FBI RE-ENACTMENT OF THE ASSASSINATION AND CALLED IT A "MONUMENTAL FLOP".

ACCORDING TO THIS ARTICLE, THE DEFENSE IN ITS SUMMATION TO THE JURY ON THE EVENING OF FEBRUARY TWENTYEIGHT LAST, CENTERED ITS ATTACK ON THE CREDITABILITY OF PERRY RAYMOND RUSSO, THE PROSECUTION'S STAR WITNESS TO THE ALLEGED CONSPIRATORIAL MEETING BETWEEN DAVID FERRIE, LEE HARVEY OSWALD AND SHAW. DURING ITS SUMMATION, THE DEFENSE CONSTANTLY REMINDED THE JURORS THAT THE WARREN COMMISSION AND ITS REPORT WERE NOT ON TRIAL AND THAT SOME TIMES DURING THE TRIAL SHAW, THE DEFENDANT, WAS THE FORGOTTEN

MAN.

PAGE THREE

THE DEFENSE ALSO ATTACKED THE MEMORANDUM OF ASSISTANT DA CONIADRA OF HIS INTERVIEW WITH RUSSO AT BATON ROUGE, LA. ON FEBRUARY TWENTYFIVE, NINETEEN SIXTYSEVEN. THE DEFENSE STATED THAT THE WHOLE WORLD WILL BE WAITING TO SEE IF THE JURORS WOULD CONVICT A PERSON ON "THIS ALICE IN WONDERLAND STORY." THE DEFENSE THEN ATTACKED THE TESTIMONY OF THE PROSECUTION WITNESSES AND REMINDED THE JURORS OF THE TESTIMONY OF THE DEFENSE WITNESSES. THE DEFENSE POINTED OUT THAT ORIGINALLY THE PROSECUTION HAD INDICATED THAT FBI BALLISTICS EXPERT, ROBERT A FRAZIER WOULD APPEAR AS AN EXPERT FOR THE PROSECUTION, "BUT THEY OBVIOUSLY DIDN'T LIKE WHAT HE SAID" AND SO THE DEFENSE HAD USED FRAZIER AS A WITNESS. THE DEFENSE POINTED OUT THAT FBI PHOTOGRAPHIC EXPERT LYNDAL SHANYFELT HAD MADE THE SAME STATEMENT OF OPINION AS THE ARMY PATHOLOGIST IN THAT HE BELIEVED THE PRESIDENT WAS SHOT FROM THE REAR. THE DEFENSE REMINDED THE JURORS THAT SHANYFELT WAS A PROSECUTION WITNESS.

THE DEFENSE THEN TOLD THE JURORS THAT THE REASON SHAW HAD BEEN BROUGHT TO TRIAL WAS FOR NO OTHER REASON THAN TO

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CREATED A FORUM FOR AN ATTACK ON THE WARREN COMMISSION AND IF THE STATE IS ACCUSING OUR GOVERNMENT OF BEING A FRAUDULENT INSTITUTION, IT SHOULD COME OUT AND SAY SO. THE DEFENSE TOLD THE JURORS THAT IT WAS INCONCEIVABLE THAT THE FEDERAL GOVERNMENT, THE FBI, SECRET SERVICE, DALLAS POLICE, THE JUSTICE DEPARTMENT, THE DOCTORS IN DALLAS AND THE DOCTORS IN WASHINGTON, D. C., HAD ALL CONSPIRED TO KEEP INFORMATION FROM THE AMERICAN PUBLIC. IN ITS FINAL STATEMENT TO THE JURORS THE DEFENSE TOLD THEM THAT THEIR ACTIONS WOULD MAKE HISTORY BUT HISTORY BUT THEY SHOULD NOT CONVICT AN INNOCENT MAN.

ACCORDING TO THIS ARTICLE, AFTER THE VERDICT WAS ANNOUNCED, THE PROSECUTION DID NOT REQUEST THAT THE JURY BE POLLED.

NO LHM BEING SUBMITTED.

END

~~PAGE 4 SENTENCE 3 TO 6 SHOULD BE~~

~~ON FEBRUARY TWENTYFIVE, NINETEEN SIXTYSEVEN. THE DEFENSE STATED THAT THE WHOLE, WHOLE WORLD WILL BE WAITING TO SEE IF THE JURORS WOULD CONVICT A PERSON ON "THIS ALICE IN WONDERLAND STORY." THE DEFENSE THEN ATTACKED THE TESTIMONY OF PROSECUTION~~

END

PGH

FBI WASH DC

CLERK SULLIVAN